

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN CORNISH	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
	:	
CITY OF PHILADELPHIA, et al.	:	NO. 14-6920

ORDER

AND NOW, this 30th day of June, 2015, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) The motion of defendants Christopher Oppman and Joseph Korszniak to dismiss the First Amended Complaint and the crossclaims of defendants Prison Health Services and Corizon Cross Claims (doc. # 46) is GRANTED in part and DENIED in part;

(2) Plaintiff's Claims against defendants Christopher Oppman and Joseph Korszniak under the Americans with Disabilities Act, 42 U.S.C. §§ 12101 et seq., and his claims against them in their official capacities under 42 U.S.C. §§ 1983, 1985(3), and 1986 are DISMISSED by consent of the parties;

(3) Plaintiff's claims against defendants Christopher Oppman and Joseph Korszniak in their individual capacities under 42 U.S.C. §§ 1985(3) and 1986 are DISMISSED for failure to state

a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure;

(4) Plaintiff's state-law claims against defendants Christopher Oppman and Joseph Korszniak are DISMISSED for lack of subject-matter jurisdiction under Rule 12(b)(1) of the Federal Rules of Civil Procedure;

(5) The motion of defendants Christopher Oppman and Joseph Korszniak is otherwise DENIED insofar as it seeks dismissal of the First Amended Complaint; and

(6) The motion of defendants Christopher Oppman and Joseph Korszniak is GRANTED as unopposed insofar as it seeks dismissal of the crossclaims of defendants Prison Health Services, Inc. and Corizon.

BY THE COURT:

/s/ Harvey Bartle III

J.